

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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MATTHEW MILLUNCHICK and MIKE :
MARGENT, Individually and on Behalf of All :
Others Similarly Situated, :

Plaintiffs, :

vs. :

**ORDER REGARDING
AUTOMATIC STAY**

SUNLIGHT FINANCIAL HOLDINGS, INC. f/k/a/ :
SPARTAN ACQUISITION CORP. II, MATTHEW :
POTERE, BARRY EDINBURG, RODNEY :
YODER, GEOFFREY STRONG, JAMES :
CROSSEN, OLIVIA WASSENAAR, WILSON :
HANDLER, CHRISTINE HOMMES, JOSEPH :
ROMEO, and SPARTAN ACQUISITION :
SPONSOR II LLC, :

Defendants. :

22 Civ. 10658 (AKH)

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ALVIN K. HELLERSTEIN, U.S.D.J.:

The parties and the Court having been advised of certain filings of voluntary petitions for protection of the bankruptcy laws and of the automatic stay of litigation, the Court orders:

1. The automatic stay provided by Bankruptcy Code § 362(a) will apply only to the defendants who filed for bankruptcy relief (Sunlight Financial Holdings, Inc.); proceedings will continue as to all other parties.
2. Plaintiffs, within 30 days, shall move the Bankruptcy Court presiding over said actions for leave to vacate the stay and to adjudicate plaintiffs' claims against said defendants in the U.S. District Court.
3. Plaintiffs shall advise the parties and the Court of the filing of said motions, and all ensuing proceedings regarding said motions.
4. The pending motion to dismiss (ECF No. 59) is dismissed as moot in light of the Plaintiffs' Second Amended Complaint. *See In re Crysen/Montenay Energy Co.*, 226

F.3d 160, 162 (2d Cir. 2000). A status conference with the parties will be held in person on January 9, 2024 at 11:00 am.

SO ORDERED.

Dated: November 7, 2023
New York, New York

_____/s/ Alvin K. Hellerstein_____
ALVIN K. HELLERSTEIN
United States District Judge